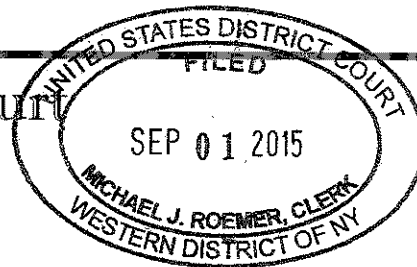


United States District Court

for the
Western District of New York

In the Matter of the Search of

(Briefly describe the property to be searched or identify the person by name and address.)

Facebook User IDs 100000746634450 and 100007610432033.

Case No. 15-MJ-627(F)

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property located in the Western District of New York (identify the person or describe the property to be searched and give its location):

Facebook User IDs 100000746634450 and 100007610432033, as described in Attachment A.

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):

See Attachment B, Particular Items to be Seized, all of which are fruits, evidence and instrumentalities of violations of Title 18, United States Code, Sections 2339A and 2339B.

The basis for search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to violations of: Title 18, United States Code, Sections 2339A (attempting and conspiring to provide, material support of terrorism) and 2339B (attempting and conspiring to provide, material support to a designated foreign terrorist organization).

The application is based on these facts: See attached affidavit.

- ☒ continued on the attached sheet.
- ☐ Delayed notice of ____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

FBI Special Agent Albert W. Zenner

Printed name and title

Sworn to before me and signed in my presence.

Date: September 1, 2015City and state: Rochester, New York

Judge's signature

HONORABLE JONATHAN W. FELDMAN
United States Magistrate Judge

Printed name and Title

AFFIDAVIT IN SUPPORT OF APPLICATION FOR SEARCH WARRANT

State of New York)
County of Monroe) SS:
City of Rochester)

I, ALBERT W. ZENNER, being duly sworn, depose and state the following:

I. INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), and have served in this capacity for over 17 years. I am currently assigned to the Joint Terrorism Task Force (JTTF), Buffalo Division, in Rochester, New York. At the JTTF, I work with a team of federal, state, and local law enforcement agents and officers on investigations relating to domestic and international terrorism. During my tenure with the FBI I have also worked on a number of other types of investigations, including counterintelligence, white collar crime, public corruption, organized crime, and narcotics. Prior to my employment with the FBI, I worked as an attorney and remain a licensed member of the Pennsylvania bar. I am familiar with digital evidence commonly possessed and used by those involved in criminal activities. I have also conferred with other FBI Special Agents who have expertise and experience in counterterrorism investigations and digital evidence.

2. I make this affidavit in support of an application for a search warrant for information associated with certain Facebook user IDs that are stored at premises owned, maintained, controlled, or operated by Facebook, Inc. ("Facebook"), a social networking company with headquarters in Menlo Park, California. The information to be searched is described in the following paragraphs and Attachment A. I make this affidavit in support of the application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A) to require Facebook to disclose to the government records and others information in its possession, pertaining to the subscriber(s) or customer(s) associated with the following Facebook user IDs:

Facebook User ID	User Name
100000746634450	Dawlah Baqiyah (State Staying)
100007610432033	Khalid Al-Adani

3. I am familiar with the facts contained in this affidavit based upon my personal involvement in this investigation, information provided by other law enforcement agents and officers, subpoenaed records from Facebook and Western Union, information provided by two reliable confidential human sources (hereinafter CS-1 and CS-2), consensual recordings of conversations between the confidential human sources and Mufid A. Elfgeeh,¹ information from public databases, information provided by the United States Department of State, and information obtained from the execution of a federal search warrant on various Facebook accounts associated with and used by Elfgeeh. Because this affidavit is submitted for the limited purpose of obtaining a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are necessary to establish probable cause to search the above-referenced Facebook accounts.

4. Based on my training and experience, and the facts set forth in this affidavit, there is probable cause to believe that AHMED MOHAMED a/k/a Abo Ibrahim, KHALID AL-ADANI a/k/a Khalid Al-Janubi, and Mufid A. Elfgeeh a/k/a Abu Musa al-Faqih a/k/a Abu Musa al-Madhaji a/k/a Abu Musa al-Athiri a/k/a Abu Musa al-Athari a/k/a Abu Musa Athari al-Yemeni a/k/a Abu Musa a/k/a Abi Musa al-Madhaji a/k/a Abu Naje a/k/a Ali Saleh a/k/a Abumusa Almuslm a/k/a Abo Baqia a/k/a Mou Leeg a/k/a Abu Hamza, have committed violations of

¹ All of the recorded conversations summarized in this affidavit were done with the consent of the confidential human sources. All conversations between CS-1 and Elfgeeh occurred in Arabic. I have reviewed the available verbatim or summary English translations of those conversations that were drafted by certified FBI translators. I have also reviewed English translations of the Facebook messages summarized in this affidavit. All of the English translations in this affidavit are preliminary, not final.

2339A (attempting and conspiring to provide material support of terrorism) and 2339B (attempting and conspiring to provide material support to a designated foreign terrorist organization).

5. As detailed in this affidavit, there is also probable cause to search the information described in Attachment A for evidence of violations of 18 U.S.C. §§ 2339A (attempting and conspiring to provide material support of terrorism) and 2339B (attempting and conspiring to provide material support to a designated foreign terrorist organization), and contraband or fruits of these crimes, as described in Attachment B.

FACEBOOK

6. Facebook owns and operates a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users, and sometimes with the general public.

7. Facebook asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers (for password retrieval), physical address (including city, state and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number ("user ID") to each account. A Facebook user can also establish a "vanity name" for the Internet Uniform Resource Locator (URL) for their Facebook page.

8. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual

Facebook users by sending each user a “Friend Request.” If the recipient of a “Friend Request” accepts the request, then the two users will become “Friends” for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user’s account includes a list of that user’s “Friends” and a “News Feed,” which highlights information about the user’s “Friends,” such as profile changes, upcoming events, and birthdays.

9. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create “lists” of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

10. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post “status” updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. Facebook users can also post information about upcoming “events,” such as social occasions, by listing the event’s time, location, host, and guest list. In addition, Facebook users can “check in” to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user’s profile page also includes a “wall,” which is a space where the user and his or her “Friends” can post messages, attachments, and links that will typically be visible to anyone who can view the user’s profile.

11. Facebook allows users to upload photographs and videos. It also provides users the ability to “tag” (i.e., label) other Facebook users in a photograph or video. When a user is tagged in

a photograph or video, he or she receives a notification of the tag and a link to see the photograph or video. For Facebook's purposes, the photographs and videos associated with a user's account will include all photographs and videos uploaded by that user that have not been deleted, as well as photographs and videos uploaded by any user that have that user tagged in them.

12. Facebook users can exchange private messages on Facebook with other users. These messages, which are similar to e-mail messages, are sent to the recipient's "Inbox" on Facebook, which also stores copies of the messages sent by the recipient, as well as other information. Facebook users can also post comments on Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile.

13. If a Facebook user does not want to interact with another user on Facebook, the first user can "block" the second user from seeing his or her account.

14. Facebook has a "like" feature that allows users to give positive feedback or connect to particular pages. Facebook users can "like" Facebook posts or updates, as well as webpages or content on third-party (i.e., non-Facebook) websites. Facebook users can also become "fans" of particular Facebook pages.

15. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

16. Each Facebook account has an activity log, which is a list of the user's posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photographs that the user has been tagged in, as well as connections made through the account, such as "liking" a Facebook page or adding someone as a "Friend." The activity log is visible to the user but cannot be viewed by people who visit the user's Facebook page.

17. Facebook Notes is a blogging feature available to Facebook users, and it enables the user to write and post notes or personal web logs (“blogs”), or to import their blogs from other services, such as Xanga, LiveJournal, and Blogger.

18. The Facebook Gifts feature allows users to send virtual “gifts” to their friends that appear as icons on the recipient’s profile page. Gifts cost money to purchase, and a personalized message can be attached to each gift. Facebook users can also send each other “pokes,” which are free and simply result in a notification to the recipient that he or she has been “poked” by the sender.

19. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

20. In addition to the applications described above, Facebook also provides its users with access to thousands of other applications on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about the user’s access or use of that application may appear on the user’s profile page.

21. Some Facebook pages are affiliated with groups of users, rather than one individual user. Membership in the group is monitored and regulated by the administrator or head of the group, who can invite new members and reject or accept requests by users to enter. Facebook can identify all users who are currently registered to a particular group and can identify the administrator and/or creator of the group. Facebook uses the term “Group Contact Info” to describe the contact information for the group’s creator and/or administrator, as well as a .pdf of the current status of the group profile page.

22. Facebook uses the term “Neoprint” to describe an expanded view of a given user profile. The “Neoprint” for a given user can include the following information from the user’s profile: profile contact information; News Feed information; status updates; links to videos,

photographs, articles, and other items; Notes; Wall postings; Friend lists, including the Friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications.

23. Facebook also retains Internet Protocol ("IP") logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID and IP address associated with the action. For example, if a user views a Facebook profile, that user's IP log would reflect the fact that the user viewed the profile, and would show when and from what IP address the user did so.

24. Social networking providers like Facebook typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Facebook about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Facebook typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.

25. Therefore, the computers of Facebook are likely to contain all the material described above, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and other account information.

II. PROBABLE CAUSE

Islamic State of Iraq and the Levant (ISIL)

26. On October 15, 2004, the United States Secretary of State designated al-Qa'ida in Iraq ("AQI"), then known as Jam'at al Tawhid wa'al-Jihad, as a Foreign Terrorist Organization ("FTO") under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224.

27. On May 15, 2014, the Secretary of State amended the designation of al-Qa'ida in Iraq ("AQI") as a Foreign Terrorist Organization ("FTO") under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the Levant ("ISIL") as its primary name. The Secretary also added the following aliases to the ISIL listing: the Islamic State of Iraq and al-Sham ("ISIS"), the Islamic State of Iraq and Syria ("ISIS"), ad-Dawla al-Islamiyya fi al-'Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. Although the group has never called itself "Al-Qaeda in Iraq (AQI)," this name has frequently been used to describe it through its history. To date, ISIL remains a designated FTO. In an audio recording publicly released on June 29, 2014, ISIS announced a formal change of ISIS's name to Islamic State ("IS"). Throughout this affidavit, I will refer to the group as ISIL, except when it is a direct quote from Elfgeeh.

Subjects of the Investigation

28. Mufid A. Elfgeeh a/k/a Abu Musa al-Faqih a/k/a Abu Musa al-Madhaji a/k/a Abu Musa al-Athiri a/k/a Abu Musa al-Athari a/k/a Abu Musa Athari al-Yemeni a/k/a Abu Musa a/k/a Abi Musa al-Madhaji a/k/a Abu Naje a/k/a Ali Saleh a/k/a Abumusa Almuslm a/k/a Abo Baqia a/k/a Mou Leeg a/k/a Abu Hamza, is a 31-year old Yemeni male. He is a

naturalized United States citizen and currently is incarcerated. Prior to his arrest, Elfgeeh owned and operated a store, Halal Mojo and Food Mart a/k/a Mojoe's, at 1193 N. Clinton Avenue, Rochester, New York. Beginning in early 2013, Elfgeeh expressed his support of various terrorist groups (including al-Qa'ida, al-Nusrah Front, and ISIL) and violent jihad.² As detailed, *infra*, this investigation has revealed that, consistent with his ideology, Elfgeeh has attempted to recruit others in the Rochester area and elsewhere to travel to Syria to fight on behalf of ISIL.

29. On May 31, 2014, Elfgeeh was arrested and charged in a criminal complaint (14-MJ-590), with two counts of possession of unregistered firearm silencers, in violation of 26 U.S.C. §§ 5841, 5861(d), and 5871. Those charges stemmed from Elfgeeh's purchase of two firearms equipped with silencers from a confidential source (who is referred to in this affidavit as "CS-2"). Elfgeeh has been in custody since his arrest.

30. On September 16, 2014, a federal grand jury returned an indictment (14-CR-6147) charging Elfgeeh with three counts of attempting to provide material support to a designated terrorist organization, the Islamic State of Iraq and the Levant (ISIL) a/k/a the Islamic State of Iraq and Syria (ISIS), in violation of 18 U.S.C. § 2339B (a)(1); attempted murder of federal officials or employees, in violation of 18 U.S.C. § 1114(3); possession of firearms equipped with silencers in furtherance of a crime of violence, in violation of 18 U.S.C. §§ 924(c)(1)(A) and 924 (c)(1)(B)(ii); and two counts of receipt and possession of unregistered firearm silencers, in violation of 26 U.S.C. §§ 5841, 5861(d) and 5871.

² "Jihad" is an Arabic term meaning "struggle," referring to one's struggle on behalf of Islam. In the context of these communications, and the other communications summarized in this affidavit, I understand Elfgeeh and others named in this affidavit to be referring to a violent form of jihad associated with terrorist groups.

31. Other subjects of this investigation include AHMED MOHAMED a/k/a Abo Ibrahim a/k/a Dawlah Baqiyah, the user of Facebook ID 100000746634450, and KHALID AL-ADANI a/k/a Khalid al-Janubi, the user of Facebook ID 100007610432033. As detailed, *infra*, Elfgeeh communicated with each of these individuals about terrorism-related activities over the subject Facebook accounts.

32. Subpoenaed records show that Facebook User ID 100000746634450 was registered on February 8, 2010. It is associated with e-mail addresses dawlatt.eslam@facebook.com, kid_cash2010@yahoo.com, and ahmed_mohamed199188@alexeng.edu.eg, and telephone number +201126223295. The user name is “State Staying,” which I believe is a reference to ISIL. As detailed, *infra*, this investigation has revealed that an individual known as AHMED MOHAMED a/k/a Abo Ibrahim a/k/a Dawlah Baqiyah (hereinafter “MOHAMED”), used this account to communicate with Elfgeeh and a confidential source (referred to in this affidavit as “CS-2”) about CS-2 traveling to Syria to fight with ISIL. The FBI served 90-day preservation letters on Facebook, Inc., for Facebook User ID 100000746634450 on March 5, 2015, and June 3, 2015.

33. Subpoenaed records show that Facebook User ID 100007610432033 was registered on January 17, 2014. It is associated with telephone number +967772743022. As detailed, *infra*, this investigation revealed that an individual known as KHALID AL-ADANI a/k/a Khalid Al-Janubi (hereinafter “AL-ADANI”), used this account to communicate with Elfgeeh and a confidential source (referred to in this affidavit as “CS-1”) about AL-ADANI traveling from Yemen to Syria to fight with ISIL. The FBI served 90-day preservation letters on Facebook, Inc., for Facebook User ID 100007610432033 on March 5, 2015, and June 3, 2015.

Elfgeeh's Twitter Posts

34. Elfgeeh, a frequent user of Twitter,³ maintained Twitter accounts under aliases, including Abu Musa al-Yamani@2866594 and Abu Musa al-Faqih@ali1212125.⁴ Elfgeeh used Twitter to post and re-post tweets expressing support of various terrorist groups and violent jihad, and seeking donations to assist jihadist fighters in Syria. For example, between approximately September 2013 and December 2013, Elfgeeh sent the following publicly viewable tweets:

a. In a series of tweets, Elfgeeh praised decisions by ISIL to prevent food, fuel and medicine from going into certain areas in Syria. Elfgeeh also expressed support for al-Qa'ida and jihadists as the true Muslims, and advocated jihad and martyrdom. Additional tweets discussed the increasing number of fighters who are joining ISIL;

b. Elfgeeh posted two tweets saying that al-Qa'ida gets revenge for the Muslims of Burma and al-Qa'ida is our only savior;

c. Elfgeeh re-posted a tweet stating that there are jihad opportunities against America and Hawthis⁵ in Yemen and the Levant region;

d. Elfgeeh posted a tweet stating, al-Qa'ida said it loud and clear: we are fighting the American invasion and their hegemony⁶ on the earth and the people;

³ Twitter is an online social networking and microblogging service that enables users to send and read short 140-character text messages, commonly referred to as "tweets." Retweeting is when a tweet is forwarded via Twitter by users. Users can group posts together by topic or type by use of hashtags – words or phrases prefixed with a "#" sign. Registered users can read and post tweets, while unregistered users can only read them. Users access Twitter through their website, short message service (SMS), or mobile device (such as smartphones) applications.

⁴ I have concluded that these Twitter accounts were used by Elfgeeh based on information from an FBI employee who had contact with Elfgeeh, the fact that the aliases for these accounts matched aliases also used by Elfgeeh for certain Facebook accounts, and subpoenaed records which showed that, as of November 2013, the most recent logins for both Twitter accounts were from the IP address 96.25.125.2, which was bound to a broadband device registered to Elfgeeh at 1193 North Clinton Avenue, Rochester, New York (Elfgeeh's residence and place of business).

⁵ "Hawthis" (or "Houthis" or "Huthis") are a Shi'a Muslim insurgent group operating in Yemen. Their opponents include al-Qa'ida.

e. Elfgeeh posted several tweets with photographs and captions promoting Ansar al-Sharia (another al-Qa'ida-linked terrorist group), and stating that people will have an honorable life under Shari'a law, and that with grenades in their hands they are ready to die for the sake of Allah;

f. In a series of tweets, Elfgeeh stated that money is the largest resource for jihadists and that the prophet Muhammad preached that people should fight the infidels with their money, their bodies, and their words. Elfgeeh urged people to donate money as it is considered a type of jihad, and stated that money is the foundation of jihad because there will be no jihad if the jihadist does not have money with which to buy his weapons. One tweet stated that there is a specific weapon that jihadists want to purchase which costs \$20,000, and the amount of money needed will be divided into four shares, with each share amounting to \$5,000. Another tweet contained the hashtag, #Five_thousand_dollars_from_every_home;

g. Elfgeeh reposted a tweet stating, Every Iraqi Sunni jihadist is defined as a terrorist in the international society; they don't know that the Islamic State of Iraq and Levant (ISIL) will one day rule the world with the will of Allah;

h. Elfgeeh posted a tweet stating that, @free_syria_army, and their group support America in waging a campaign against the State (ISIL) and against all those who want to apply Shari'a/Allah's law;

i. Elfgeeh posted tweets telling everyone to donate a third of their salary to the jihadists in Syria and that, @sHaFi_Ajmi, @Al_owaihan, and @hajjalajmi, are the people who will deliver the donations; and

j. Elfgeeh posted tweets asking for money donations, one of them stating that there is a campaign to collect \$5,000 from each family to go to the jihadists in al-Sham (Syria).

⁶ "Hegemony" means domination, control, or supremacy.

Confidential Human Sources

35. In early 2013, the FBI began using CS-1 as part of its investigation of Elfgeeh. CS-1 first cooperated with the FBI in or about 2000, and first reported information about Elfgeeh in or about early 2013. As of August 2015, the FBI has paid CS-1 a total of approximately \$23,700 in exchange for his cooperation in this investigation, as well as an unrelated matter in another district. CS-1 continues to cooperate with the FBI in anticipation of receiving additional monetary compensation. Additionally, the FBI made an informal request to the Immigration and Customs Enforcement (ICE) liaison for visitor visas for five of CS-1's family members. ICE subsequently approved visitor visas for two of those family members, although it is not believed that the FBI's request influenced ICE's decision to grant those visas. The FBI, however, believes that CS-1 may believe that he has received this benefit from the FBI. The FBI also obtained Significant Public Benefit Parole status from ICE for three of CS-1's family members who were not previously granted visas. CS-1 is aware that the FBI facilitated the entry of these family members into the United States.

36. The information provided by CS-1 has been corroborated by the JTTF through independent investigation, physical surveillance, public records, information provided by other law enforcement agencies, consensual recordings of conversations between CS-1 and Elfgeeh, consensual recordings between CS-2 and Elfgeeh, and subpoenaed Western Union records. The information provided by CS-1 has been found to be accurate and reliable.

37. CS-2 began cooperating with the FBI in or about November 2013. As of August 2015, the FBI has paid CS-2 a total of approximately \$7,400 in exchange for his cooperation in this investigation. CS-2 has a prior felony conviction for Attempted Criminal Sale of a Controlled Substance 3° from Monroe County Court from 2003, for which he was sentenced to one (1) year in jail, and a prior misdemeanor conviction for Criminal Possession of a Controlled Substance 7° from

Rochester City Court from 2004. CS-2 continues to cooperate with the FBI in anticipation of receiving additional monetary compensation.

38. The information provided by CS-2 has been corroborated by the JTTF through independent investigation, physical surveillance, public records, information provided by other law enforcement agencies, consensual recordings of conversations between CS-2 and Elfgeeh, and consensual recordings of conversations between CS-1 and Elfgeeh. The information provided by CS-2 has been found to be accurate and reliable.

Attempt to Send AL-ADANI to Join ISIL in Syria

39. Over the course of this investigation, Elfgeeh forcefully expressed his support for ISIL and their activities in Syria. For example, on November 20, 2013, Elfgeeh said to CS-1 that the only honorable fighting forces in Syria are ISIL, al-Nusrah Front, al-Tawhid, and Ahrar al-Sham, noting that ISIL was larger than al-Nusrah Front. As detailed more fully below, on March 10, 2014, Elfgeeh discussed with CS-1 the accomplishments achieved by ISIL on the Syrian battlefield, noting that, despite their accomplishments, ISIL does not get much recognition. Elfgeeh also explained that the late Sheik Usama Bin Laden (the deceased leader of al-Qa'ida) said that ISIL is the only group who takes action based on truth without consideration for recognition. In addition, Elfgeeh expressed his desire to be a source of support for violent jihad. For example, on December 14, 2013, Elfgeeh stated that, if he could not sell his store, he would serve as an exporter or source of, those who are fed up, and want to go to war and be jihadists.

40. On February 12, 2014, Elfgeeh showed CS-1 a photograph of a Yemeni male, KHALID AL-ADANI a/k/a Khalid Al-Janubi, who he described as someone who needed their support. Elfgeeh stated that AL-ADANI needed \$1,500. Elfgeeh stated that AL-ADANI wanted to join the State [ISIL], noting that "the State [ISIL] is in need . . . of men and money." Elfgeeh said

that he would get \$500 to send to AL-ADANI, and asked CS-1 to find one or two friends to contribute money. Elfgeeh agreed to initiate a three-way communication (believed to be through Facebook) between Elfgeeh, CS-1 and AL-ADANI.

41. On February 23, 2014, Elfgeeh told CS-1 that he had sent \$600 to AL-ADANI the day before. Elfgeeh also stated that he transferred the money in a name given to him by AL-ADANI. Western Union records show that Elfgeeh sent \$600 to "Ahmed Ali Saleh" in Aden, Yemen, on February 22, 2014, and that there were no other money transfers in the name of Elfgeeh on that date.⁷

42. On February 26, 2014, Elfgeeh told CS-1 that AL-ADANI is with ISIL. Elfgeeh said that he told AL-ADANI to either go to Syria to fight with ISIL or to stay in Yemen to fight with a group in his area. Elfgeeh advised that he is waiting for AL-ADANI to obtain his travel documents in Yemen and notify Elfgeeh before sending AL-ADANI more money.

43. On March 10, 2014, Elfgeeh advised CS-1 that he asked one of his friends in Sana'a (Yemen) to contact AL-ADANI. Elfgeeh said that AL-ADANI was unsuccessful in getting his visa to Turkey.

44. On March 22, 2014, CS-1 recounted to Elfgeeh a Facebook conversation he had with AL-ADANI. During the Facebook exchange, AL-ADANI told CS-1 that, "as soon as . . . they accept [him] at the university, [he] will leave [his] mother in Sana'a [Yemen] and [he] will continue on [his] way."⁸ After their Facebook exchange, AL-ADANI sent another message to CS-1 asking if

⁷ It should be noted that Elfgeeh told CS-1 that he sent the money to "Ahmad Ali Wishgan (ph)." Nonetheless, based on the similarity in the names, the timing of the money transfer, and the fact that there were no other money transfers in the name of Elfgeeh on that date, I believe that the money that was transferred was the money that Elfgeeh intended to send to AL-ADANI.

⁸ With the consent of CS-1, the FBI viewed the Facebook exchange between CS-1 and AL-ADANI.

CS-1 understood what he meant when he referred to being “accepted at the university.” CS-1 replied that he did understand. CS-1 states that he understood the phrase about being “accepted to the university” to mean that AL-ADANI was waiting to have his travel documents approved in order to gain entry to Turkey for the purpose of ultimately entering Syria to join ISIL. This Facebook exchange occurred between an account used by CS-1 and Facebook User ID 100007610432033, which was used by AL-ADANI.

Attempt to Send CS-1 and CS-2 to Fight For ISIL in Syria

45. In 2013, Elfgeeh encouraged CS-2 to travel overseas to engage in violent jihad. CS-2 reported that, prior to cooperating with the government, Elfgeeh attempted to persuade CS-2 to leave the United States and fight in conflicts in Syria, Yemen, and Somalia. CS-2 also reported that, at that time, Elfgeeh intended to travel with CS-2, and Elfgeeh specifically mentioned two al-Qa’ida-affiliated groups – Ansar al-Sharia (based in Yemen) and al-Shabaab (based in Somalia) – as groups they could join. After CS-2 began cooperating covertly with the government, Elfgeeh continued to encourage him to engage in violent jihad overseas.

46. Similarly, in or about December 2013, Elfgeeh began encouraging CS-1 to travel overseas and engage in violent jihad. On December 18, 2013, Elfgeeh told CS-1 to take CS-1’s family on a jihadist expedition. When CS-1 expressed reluctance to leave CS-1’s family behind, Elfgeeh gave examples of families participating in jihadist expeditions. Elfgeeh mentioned a Saudi woman who left her children behind and went to the war for jihad, and many other Saudi women who went with their children along for the war for jihad in Yemen.

47. On December 31, 2013, Elfgeeh and CS-1 discussed CS-1’s planned travel to Syria to engage in jihad. Elfgeeh suggested that CS-1’s family travel to Jordan and then travel to Turkey, and then CS-1 should separate from them and remain in Turkey while CS-1’s family returns to

Jordan. CS-1 stated that CS-1 needed someone who is trustworthy as a contact in Syria. Elfgeeh responded, “[w]e will look for someone you can trust. There are trustworthy people, someone in Jabhat al-Nusrah who I told you is from our homeland, he is one.” When CS-1 asked for details on what would happen after CS-1 arrived in Turkey, Elfgeeh responded that he did not know all of the details, but that CS-1 would arrive in Turkey and “that’s it.”

48. On January 25, 2014, Elfgeeh stated that, when the time comes for CS-1 to travel to Syria, Elfgeeh can call a Yemeni brother, someone he has known on Facebook for about a year, and Elfgeeh can consult with the Yemeni brother about where CS-1 should go.

49. On March 10, 2014, Elfgeeh told CS-1 that ISIL carried out a bombing in Aleppo (Syria) that killed 500 people. He explained that they dug tunnels and placed explosives, noting that ISIL is using this method to save on ammunition. Elfgeeh said that ISIL is the only organization that does not beg for money from anyone. Elfgeeh discussed the accomplishments achieved by ISIL on the Syrian battlefield, noting that, despite their accomplishments, ISIL does not get much recognition. Elfgeeh explained that the late Sheik Usama Bin Laden (the deceased leader of al-Qa’ida) said that ISIL is the only group which takes action based on truth without consideration for recognition.

50. On March 22, 2014, Elfgeeh showed CS-1 his list of Facebook friends. Elfgeeh described several individuals from Yemen and an individual known as Abu Qays, who Elfgeeh described as a military leader of the Green Battalion in Homs, Syria. Elfgeeh said that the Green Battalion used to be affiliated with al-Nusrah, but they separated from them. Elfgeeh further stated, “[w]e are coordinating with them [the Green Battalion] on the grounds that they want to pledge allegiance to the State [ISIL], and they would like for the State to support them with ammunition and weapons.”

51. On March 29, 2014, CS-1 asked if CS-2 had any intention of traveling. Elfgeeh responded that CS-2's project is a little bit different,⁹ noting that CS-2 has a family so it is not easy for CS-2 to leave. At that time, Elfgeeh said that CS-2 would travel only if Elfgeeh traveled with CS-2.

52. On April 8, 2014, CS-1 told Elfgeeh that he had decided to make a reservation and travel by June 1. Elfgeeh responded by stating that he was supportive and he wanted to help. CS-1 said that CS-1 needed Elfgeeh to help him make contacts and arrange for people to meet him at the airport. CS-1 went on to state that he was planning to arrange his travel from the United States to Istanbul (Turkey) to Amman (Jordan). CS-1 continued by stating that he would arrive in Istanbul and then "proceed to the inside," meaning Syria. Elfgeeh responded by saying, "I am going to do that [for you] without a doubt. I am going to search it without a doubt." CS-1 stated that he wanted to go to the "university" (meaning ISIL) and Elfgeeh responded, "the application to be ready." Elfgeeh stated that he had contact with the commander of al-Khadra battalion, or something (referring to Abu Quays), on Facebook because Elfgeeh wanted to coordinate with someone for pledging allegiance and sending them funds because they were cut off from support. Elfgeeh stated that he had a Facebook account and would send it to CS-1.

53. On April 10, 2014, only two days after CS-1 announced his intention to travel to Syria, Elfgeeh told CS-2 that there was someone who was leaving here and going to Syria. Elfgeeh further stated that he wanted to send CS-2 to Syria with CS-1, that CS-2's trip would be paid for by CS-1, and that traveling to Syria with CS-1 is a good opportunity for CS-2. Elfgeeh had kept CS-1 and CS-2 apart from each other up to that point as a security measure and neither would know of the other if questioned by the government. Elfgeeh stated he will keep his mouth shut even if his

⁹ I believe this was a reference to a separate plot to kill members of the United States armed forces returning from Iraq, which was detailed in an affidavit submitted in support of the criminal complaint charging Elfgeeh with two counts of possession of unregistered firearm silencers, dated May 31, 2014 (14-MJ-590).

throat is cut during interrogation. CS-2 asked Elfgeeh if CS-2 would join Jabhat al-Nusrah. Elfgeeh responded that CS-2 would join “Dawla” (meaning ISIL). Elfgeeh’s also told CS-2 that it was Elfgeeh’s job to try to build a link to someone that CS-2 could contact in Syria. CS-2 noted that he would have to get a passport, and Elfgeeh responded that CS-2 could go to Buffalo and get the passport in just one day.

54. On April 15, 2014, Elfgeeh told CS-1 that he had contacted an individual from Chechnya who was born in Syria. Elfgeeh further stated that the Chechen “is from those who pledged the allegiance to the State [ISIL].” According to Elfgeeh, the Chechen told him that after they (meaning CS-1 and CS-2) reach Turkey, they would fly from the capital to another city close to the border with Syria and “from there all the way.” Elfgeeh and CS-1 discussed the anticipated departure date of June 1. CS-1 described to Elfgeeh his experience operating heavy machinery and his weapons training as a soldier in the Jordanian army. Elfgeeh said that when CS-1 goes there (Syria) and tells these stories, they (ISIL) can place him in a trainer position and, after a while, a cadre¹⁰ position. Elfgeeh noted that a cadre position means that the person understands the politics of the war.

55. On April 19, 2014, Elfgeeh sent a text message, consisting of a link to a YouTube video, to CS-2. The video started with a reading of a verse from the Qur’an and display of the flag commonly used by ISIL. The video then showed ISIL militants in combat shooting and a gathering of militants. An unidentified male (UM-1) carrying a Saudi Arabian passport criticized the people who induce sedition between Muslims and divide the Muslim world, and plant tyrant leaders to fight the religion of God and the Muslims. UM-1 indicated that, at this gathering in Syria, they were burning the passports that create separation between brothers for political reasons, to build one Islamic state from the east to the west under the law of God. UM-1 praised ISIL saying, long live

¹⁰ A “cadre” is a group of officers around whom a unit is formed, or a training staff.

the Islamic State. Another unidentified male (UM-2) carrying a Jordanian passport indicated that this is a passport of the slave of the English (King Abdullah II) and asked the people of Jordan to join ISIL. UM-2 swore that, they will come and kill the king and all elements of the civil and military intelligence and will bring tons of VBIED's (explosive cars) to the kingdom. UM-2 then tore up the Jordanian passport and burned it. Another unidentified male (UM-3) said in English, "this is a message to Canada and to all the American tyrants, we are coming and we will destroy you, with the will of Almighty Allah. I made Hijra (migrated) to this land for one reason alone. I left comfort for one reason alone, for the Almighty Allah, and God willing and after Sham (Levant-Syria), after Iraq, after Jazirah (Arabian Peninsula) we are going for you Barack Obama." The group then chants "Allah is the greatest." The speaker resumes saying, "with the will of Almighty Allah, we came to you with the beheadings/the killings." Other unidentified militants were shown burning Egyptian, Russian and Saudi Arabian passports. The video then showed ISIL attacking a police barracks in Saleh al din province in Iraq, with a heavy fire fight showing the killing of the police live on video.

56. On April 21, 2014, CS-2, at the direction of Elfgeeh, purchased a copy of his birth certificate for \$30 from the Monroe County Vital Records Office, 111 Westfall Road, Rochester, New York.

57. Later on April 21, 2014, Elfgeeh and CS-2 went to a local Rite Aid store to get CS-2's passport photographs taken. Elfgeeh paid CS-2 \$30 for the copy of the birth certificate that CS-2 bought earlier that day, and paid for CS-2's passport photographs. Elfgeeh told CS-2 that he is going to either go with CS-1 and CS-2 to Syria or go a couple months later. When CS-2 wondered how he was supposed to trust that the contact arranged by Elfgeeh was truly from ISIL, Elfgeeh stated that he would put CS-2 in contact with an individual from Chechnya who grew up in Syria. Elfgeeh expected the Chechen contact to let him know that night. Elfgeeh also stated that the Chechen was

just one contact and Elfgeeh had others, including one in Yemen who trusts Elfgeeh. Elfgeeh also described the process for CS-2 to travel to Syria to join ISIL, noting that CS-2 and CS-1 would first be sent to a house where they would be educated for two or three months. During that time, the group assesses you and determines who is a spy and who is not. Elfgeeh stated that the process is conducted by individuals formerly associated with the Iraqi version of the CIA. Elfgeeh agreed to put CS-2 in contact with an English-speaking individual over Facebook. Elfgeeh said that he would tell his contact that CS-2 wants to speak with someone from Dawla (ISIL) to tell him how things are over there, and his contact would give Elfgeeh someone to speak with over Facebook.

58. On April 22, 2014, Elfgeeh and CS-2 traveled to Buffalo, New York, to obtain a passport for CS-2. During the trip, CS-2 asked Elfgeeh what Elfgeeh thinks they (ISIL) would have him do over there (Syria). Elfgeeh responded that, in light of CS-2's patience, he thought they would use CS-2 to operate a cannon, act as a sniper and/or build bombs. Elfgeeh said that they (ISIL) would teach CS-2 how to build a bomb. CS-2 thereafter submitted his application for a passport at the Buffalo Passport Agency, 111 Genesee Street, Buffalo, New York. Elfgeeh paid over \$200 toward the fee for CS-2's passport (a total \$209.85), which included a fee for overnight delivery. CS-2 received the passport on April 25, 2014.

59. On April 22, 2014, Elfgeeh, using the Facebook user name "Mou Leeg"¹¹ and Facebook User ID 100008149782764, posted the following message on his Facebook profile: "Brothers in al-Dawla [ISIL]. Whoever knows a brother from Dawla [ISIL] who is able to communicate well in English, can communicate with me through the private, due to the importance."

¹¹ CS-1 received a friend request form this account on or about April 18, 2014. CS-1 accepted the friend request and later confirmed for the investigative team that this account is in fact used by Elfgeeh.

60. On April 24, 2014, Elfgeeh, who was using the name “Mou Leeg” and Facebook User ID 100008149782764, received a message from Facebook User Dawlah Baqiyah (MOHAMED), who was using Facebook User ID 100000746634450.¹² Dawlah Baqiyah (MOHAMED) asked Elfgeeh, “Can I help you bro.”¹³ Elfgeeh responded, “Thes brother he dozent-sbeek arbeh an he gat som cowachens . . . Can you comtak hm,” meaning Elfgeeh had a “brother” (CS-2) who does not speak Arabic and has some questions, and Elfgeeh asked Dawlah Baqiyah (MOHAMED) if he could contact the “brother” (CS-2). Elfgeeh further explained that “we have here a non-Arab who has questions about your well being and with the will of God this brother is on his way to you so don’t deprive him and God rewards you,” meaning that CS-2 is a non-Arab who has questions about the state of affairs in Syria and who will be traveling to Syria. Elfgeeh continued, “I sent him [CS-2] a message informing him that you will be communicating with him, God rewards you. This brother has asked me to find him someone to chat with him on such matters.” Elfgeeh stated that “he [CS-2] is known to us personally and recommended.” Dawlah Baqiyah (MOHAMED) responded, “Good, I will communicate with him in a little bit.”

61. On April 24, 2014, Elfgeeh, using Facebook, provided CS-2 with a link to a Facebook account for Dawlah Baqiyah, who was later determined to be AHMED MOHAMED a/k/a Abo Ibrahim.¹⁴

¹² On May 31, 2014, the Honorable Jonathan W. Feldman, United States Magistrate Judge, Western District of New York, issued a search warrant for several Facebook accounts associated with Elfgeeh (14-MJ-591). The investigative team received returns for a number of Facebook accounts, including the account corresponding to Facebook User ID 100008149782764.

¹³ Many of the messages between Elfgeeh and Dawlah Baqiyah (MOHAMED) contain misspellings and lack punctuation.

¹⁴ Elfgeeh sent the link along with the Facebook profile picture of the individual located in Iraq, which picture depicted an individual wearing a ski mask and what appeared to be a flak jacket, and holding an assault rifle.

62. On April 27, 2014, Elfgeeh met with CS-1 and CS-2 at a location in Rochester, New York.¹⁵ During the meeting, they discussed the planned travel to Syria. When CS-1 inquired about the identity of their contact, Elfgeeh confirmed that he had already given one contact to CS-2 and said that AL-ADANI has “a couple . . . brothers they gonna contact.” Elfgeeh stated that he told AL-ADANI that they need someone to contact, that AL-ADANI would put him in contact with people, and that Elfgeeh would contact those people. Elfgeeh told CS-1 and CS-2 that they needed to have cover stories that matched (such as where they are going, why they are going, and how long they are staying). Elfgeeh also said that when CS-1 and CS-2 arrive at the “welcoming camp they would receive, education, training a little bit, good food.” Elfgeeh further stated that they (ISIL) would, get to know CS-1 and CS-2, “then they know . . . who’s been around masjids [mosques] a lot and who is good and who is not . . . and they will know who’s spy.” As they continued talking about the vetting process, Elfgeeh stated, “especially the Dawla [ISIL]. They gonna make sure. Because they never get screwed before.” Elfgeeh said that, when CS-1 and CS-2 get to Syria, they should cancel their current Facebook accounts and set up two or three new accounts.

63. On April 27, 2014, at approximately 8:52 p.m., Elfgeeh posted a video on CS-2’s Facebook page. The video called for Muslims around the world to make, hijra¹⁶ and assist ISIL in whatever capacity they could. The speaker in the video indicated that joining in armed conflict was the first preference, but they (ISIL) would welcome any type of support.

64. On April 29, 2014, Dawlah Baqiyah (MOHAMED), using the Facebook User ID 100000746634450, sent a series of messages to Elfgeeh, who was using Facebook User ID 100008149782764. Dawlah Baqiyah (MOHAMED) asked, “Did you know that the American

¹⁵ At the time, neither CS-1 nor CS-2 knew that the other was cooperating with the FBI.

¹⁶ “Hijra” (also “hijrat”) is the migration or journey of the Islamic prophet Muhammad and his followers from Mecca to Medina.

brother [CS-2] was a recommendation to enter Levant [Syria]?” Elfgeeh responded, “Yes brother.” Elfgeeh continued, “It appears that you talked over many things. I will be the one getting the recommendation for them through who I know.” Dawlah Baqiyah (MOHAMED) later stated, “With regard to the recommendation, you take care of it . . . Since you know him well.” Dawlah Baqiyah (MOHAMED) warned Elfgeeh, “I don’t advise you to recommend him if you got to know him through the internet because it is risky for Muslim fronts.” Dawlah Baqiyah (MOHAMED) stated, “I requested that we talk via Skype.” Elfgeeh responded, “You have done the right thing,” noting, “[w]e are brothers [in Islam] and I know him impressively well.” Elfgeeh continued, “I want you to make him understand perfectly what he must pay attention to during his trip.”

65. CS-2 exchanged a series of messages over Facebook with Dawlah Baqiyah (MOHAMED) in late April 2014. Dawlah Baqiyah (MOHAMED) was using Facebook User ID 100000746634450 and Facebook User name AHMED MOHAMED. In the course of these messages, they discussed having CS-2 travel to Syria via Turkey. MOHAMED introduced himself to CS-2 as Abo Ibrahim, living in Ramady, Iraq. MOHAMED explained to CS-2 that he is from Egypt, but his nickname in Syria is Abo Ibrahim. MOHAMED encouraged CS-2 to schedule his travel as soon as possible because all his brothers there (Iraq and Syria) have died. CS-2 asked MOHAMED if his brothers were shaheed (martyred) in Ramady. MOHAMED responded to CS-2 that three of his brothers were killed in Ramady and six in Syria. When CS-2 asked MOHAMED if there is a lot of fighting in Ramady, MOHAMED responded “yes, every day.” MOHAMED informed CS-2 that he (CS-2) must find someone in Turkey who can take him into Syria.

66. In May 2014, CS-1 purchased a commercial airline ticket for CS-2 to travel to Istanbul, Turkey, on June 2, 2014. CS-1 did not actually purchase a ticket for himself, but represented to Elfgeeh that he had a ticket for the same flight.

67. On May 12, 2014, Elfgeeh discussed with CS-1 a contact telephone number for a Jordanian male in Syria. Elfgeeh gave CS-1 a piece of paper bearing a telephone number.¹⁷ An online search by the FBI confirmed that the prefix of the telephone number is the country code for Syria. CS-1 subsequently tried to contact this number, but was unsuccessful.

68. On May 17, 2014, CS-1 told Elfgeeh that he could not get through to the Jordanian male at the number provided by Elfgeeh. In CS-1's presence, Elfgeeh sent a message to the Jordanian male with CS-1's telephone, stating that CS-1 wanted to go to the college/university, which was a coded reference to CS-1 traveling to Syria to join ISIL. CS-1 read the actual message sent by Elfgeeh, and Elfgeeh read the message to CS-1 as well.

69. On May 22, 2014, CS-1 received a message over the telephone from the telephone number provided by Elfgeeh for the Jordanian male. The profile picture associated with the telephone number was a black flag with white writing, which appeared to be the flag for ISIL. In the message, the sender included greetings and asked how CS-1 was doing.

70. In the evening on May 23, 2014, CS-1 met with Elfgeeh at Elfgeeh's business. During the meeting, Elfgeeh confirmed that the message sent to CS-1 on the previous day was from the Jordanian male. Elfgeeh reaffirmed that the Jordanian male is from ISIL and that he is located in eastern Ghota (Syria). Elfgeeh also showed, and read to CS-1, a series of messages on Elfgeeh's iPhone between Elfgeeh and the Jordanian male. The Jordanian male asked about the names of the "university students" (which is a coded reference to CS-1 and CS-2), and noted that he had communicated with a brother there and the route is easy. In this conversation, Elfgeeh also described a Yemeni male, "who is trustworthy and 100% ISIS (ISIL)," and was seeking funds to send two brothers on a jihadist expedition. Subsequent to Elfgeeh's arrest, a criminal search warrant

¹⁷ The FBI obtained the piece of paper containing the telephone number from CS-1.

was executed on Elfgeeh's iPhone. During an examination of the iPhone, investigators identified a series of messages between Elfgeeh and the Jordanian male which corroborated Elfgeeh's statements to CS-1.

71. On May 28, 2014, CS-1 met with Elfgeeh at Elfgeeh's business. During the meeting, Elfgeeh gave CS-1 the telephone number for a Yemeni male, who is believed to be the same individual referred to by Elfgeeh in the conversation summarized in ¶ 70, supra. The prefix of the telephone number corresponded to the country code for Yemen. Elfgeeh told CS-1 that the Yemeni Male would serve as CS-1's and CS-2's contact for their travel to Syria. Elfgeeh read a series of messages received on his smartphone from the Yemeni Male. In those messages, the Yemeni Male said that CS-1 and CS-2 should first go to Istanbul (Turkey) and then take a flight to Gaziantep (Turkey).¹⁸ The Yemeni Male told Elfgeeh to have CS-1 and CS-2 contact him at the provided telephone number once they arrive in Gaziantep. The Yemeni Male further stated that, during their travel, CS-1 and CS-2 would stay in a guesthouse and pass all tests until they get "their" (meaning ISIL) approval. Elfgeeh noted that the Yemeni Male wanted CS-1 and CS-2 to be security conscious when communicating with him. At one point during the meeting, Elfgeeh and CS-1 went upstairs to Elfgeeh's apartment. While there, Elfgeeh gave CS-1 a high definition action camera for the trip to Syria, noting that "the youth (meaning jihadists) will use it in Syria, and may use it during an operation to record the action."

72. As detailed, supra, the FBI arrested Elfgeeh on May 31, 2014, after he obtained two firearms equipped with silencers and ammunition from CS-2.

¹⁸ Gaziantep, Turkey is a city in southeast Turkey located near the northern border of Syria.

III. INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

73. I anticipate executing the requested search warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A), by using the warrants to require Facebook to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

IV. CONCLUSION


74. Based on the foregoing, I believe there is probable cause to believe that AHMED MOHAMED a/k/a Abo Ibrahim a/k/a Dawlah Baqiyah, KHALID AL-ADANI a/k/a Khalid Al-Janubi, and Mufid A. Elfgeeh have committed violations of 18 U.S.C. §§ 2339A (attempting and conspiring to provide, material support of terrorism) and 2339B (attempting and conspiring to provide, material support to a designated foreign terrorist organization), and that evidence of those criminal violations, as specifically described in Section II of Attachment B to this application, is presently located in the information described in Attachment A to this application. I therefore respectfully request that the Court issue the proposed search warrant.

75. This Court has jurisdiction to issue the requested search warrants because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A). Specifically, the Court is a “district court of the United States (including a magistrate judge of such a court) . . . that – has jurisdiction over the offense[s] being investigated.” 18 U.S.C. § 2711(3)(A)(i).

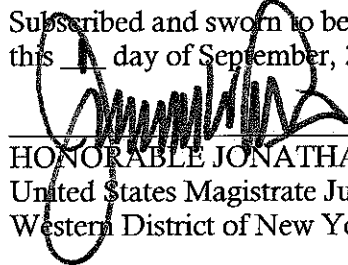
76. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of the search warrant.

77. I respectfully request that this Court order that all papers submitted in support of the application, including the application, the supporting affidavit and search warrant, be sealed until further order of the Court. I believe that sealing these documents is necessary because the search warrants relate to an ongoing, covert national security investigation into the individuals referenced in this application. Premature disclosure of the contents of the search warrant application, supporting affidavit, and search warrant may have a significant and negative impact on the investigation.

Dated: Rochester, New York
September __, 2015


Albert W. Zenner
Special Agent
Federal Bureau of Investigation
Joint Terrorism Task Force

Subscribed and sworn to before me
this 1 day of September, 2015.


HONORABLE JONATHAN W. FELDMAN
United States Magistrate Judge
Western District of New York

ATTACHMENT A

Property to be Searched

The search warrant applies to information associated with the following Facebook user ID numbers that are stored at premises owned, maintained, controlled or operated by Facebook Inc., a company headquartered in Menlo Park, California:

1. Facebook ID: 100000746634450; and
2. Facebook ID: 100007610432033.

ATTACHMENT B

Particular Items to be Seized

I. Information to be Disclosed by Facebook

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook Inc. ("Facebook"), including any messages, records, files, logs or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

- a. All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state and zip code), telephone numbers, screen names, websites, and other personal identifiers;
- b. All activity logs for the accounts and all other documents showing the user's posts and other Facebook activities;
- c. All photographs and videos uploaded by that user ID, and all photographs and videos uploaded by any user that have that user tagged in them;
- d. All profile information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; Friend lists, including Friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook identification numbers; future and past event postings; rejected Friend requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;
- e. All other records of communications and messages made or received by the user, including all private messages, video calling history, and pending Friend requests;
- f. All "check ins" and other location information;

- g. All IP logs, including all records of the IP addresses that logged into the account;
- h. All records of the account's usage of the "Like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has "liked";
- i. All information about the Facebook pages that the account is or was a "fan" of;
- j. All past and present lists of Friends created by the account;
- k. All records of Facebook searches performed by the account;
- l. All information about the user's access and use of Facebook Marketplace;
- m. The types of service utilized by the user;
- n. The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);
- o. All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account; and
- p. All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken.

II. Information to be Seized by the Government

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 U.S.C. §§ 2339A (attempting and conspiring to provide, material support of terrorism), and 2339B (attempting and conspiring to provide, material support to a designated foreign terrorist organization), including, for each user ID identified in Attachment A, information pertaining to the following matters:

- a. Efforts or attempts to provide material support (such as funds, equipment, and/or personnel) to terrorists or designated foreign terrorist organizations;

- b. Efforts or attempts to collect funds and equipment from others, and recruit personnel, for the purpose of sending them to engage in terrorist acts and/or join designated foreign terrorist organizations;
- c. Expressions of support for violent jihad, terrorist groups, designated foreign terrorist organizations, and terrorist acts;
- d. Efforts or attempts to arrange or assist in arranging overseas travel for others to engage in violent jihad;
- e. Efforts or attempts to contact and communicate with individuals associated with designated foreign terrorist organizations and/or groups involved in terrorist activities;
- f. Efforts or attempts to facilitate communications between individuals associated with designated foreign terrorist organizations and/or groups involved in terrorist activities;
- g. Efforts or attempts to find or provide religious justification for violent jihad and/or terrorist activities;
- h. Efforts or attempts to acquire and/or facilitate the acquisition of weapons, military equipment, and/or other items that could be used to further those engaged in violent jihad and/or terrorist activities;
- i. Efforts or attempts to avoid electronic and/or physical surveillance by law enforcement and/or intelligence agencies;
- j. International and/or domestic financial transactions or transfers;
- k. The identity of the person(s) who created or used the user ID, including records that help reveal the whereabouts of such person(s); and
- l. The identity of the person(s) who communicated with the user ID about matters relating to violent jihad, the provision of material support of terrorism or to designated foreign terrorist organizations, including records that help reveal their whereabouts.